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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/243,040 05/06/94 SCHELLINGER M CE01024R

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TROST, WEXAMINER

JONATHAN P. MEYER
MOTOROLA, INC.
INTELLECTUAL PROPERTY DEPT.,
600 NORTH U.S. HWY 45
LIBERTYVILLE, IL 60048

ART UNIT

PAPER NUMBER

2608

DATE MAILED:

05/31/96

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/243,040

Applicant(s)

Schellinger et al.

Examiner

William Trost

Group Art Unit

2608


☒ Responsive to communication(s) filed on Feb 12, 1996
☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims
☒ Claim(s) 14-26 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 14-26 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.
Application Papers
☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.
Priority under 35 U.S.C. § 119
☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
Attachment(s)
☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2608

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 14, 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Raith et al (hereinafter Raith).

Regarding claim 14, Raith discloses a method of updating a base station's landline telephone number (updating routing number for terminal at base station) where a call routing equipment (PSTN, Col. 9;30-45, 57-65) is used to effect future call routing. Raith further discloses the reception of an assigned landline telephone number and base id (Col. 7;12-68, network subscriber number and identity of serving transceiver), determining whether the assigned number is equal to the stored number, and updating the new number based upon a difference in numbers (Col. 8;52-Col. 9;2, use of updating and re-entry messages).

Art Unit: 2608

Regarding claim 22, Raith further discloses means for receiving the number and BID (RTR, XTR, TTR), means for storing information (store RLS, XLS) and means for updating a stored number with a received assigned number (XCP). Furthermore, the apparatus claim reads upon the corresponding method claim.

3. Claim 18 is rejected under 35 U.S.C. § 102(e) as being anticipated by McDonald et al (hereinafter McDonald).

Regarding claim 18, McDonald discloses a method of authorizing use of a cordless base station (115) in a predetermined area, where the base station is coupled to a call routing equipment (service center 125) via a TELCO. McDonald further discloses that the base station initiates a call to the call routing equipment (Col. 6;31-45), the providing of the landline number via caller identification (ANI, abstract), the reception by the call routing equipment of the assigned number, and the determination if the cordless base station is out of it's area (Fig. 5, checking against memory 325). McDonald also discloses denying service when the cordless is not in the predetermined area (sending of second authorization code which disables transceivers - 465, 485).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2608

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

5. Claim 15 is rejected under 35 U.S.C. § 103 as being unpatentable over Raith in view of McDonald.

Regarding claim 15, Raith discloses all the particulars of the claim except initiating the call to the call routing equipment by the base station (via the base station by mobile's transmission) and the use of caller identification to determine the assigned landline telephone number.

On the other hand, McDonald teaches a portable base station (115) which initiates a call to a call routing equipment (service center 125) and further, the use of ANI capabilities by the TELCO to provide the call routing equipment with the assigned landline telephone number of the base station (abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include caller identification and a base station initiated call, as taught by McDonald, to the system

Art Unit: 2608

of Raith, in order to increase the efficiency of the system by releasing the user from the task of entering call routing information.

6. Claims 19-21, 23-24 are rejected under 35 U.S.C. § 103 as being unpatentable over Raith in view of Dent et al (hereinafter Dent).

Regarding claim 19 and 21, Raith discloses a method of updating a base station's landline telephone number (updating routing number for terminal at base station) where a call routing equipment (PSTN, Col. 9;30-45, 57-65) is used to effect future call routing. Raith further discloses the reception of an assigned landline telephone number and base id (Col. 7;12-68, network subscriber number and identity of serving transceiver), determining whether the assigned number is equal to the stored number, and updating the new number based upon a difference in numbers (Col. 8;52-Col. 9;2, use of updating and re-entry messages). Raith further discloses the use of a connect message (when the base station/PABX answers, Col. 7;27-28;52-53 implicitly transmitting a connect message to stop ringing). Raith fails to disclose the sending of an assigned number upon a request to send the number.

However, Dent teaches a portable base station (110) where when a call routing equipment (cellular network) make a request

Art Unit: 2608

for an assigned number to be sent (Col. 13;1-7) to update the base station's location. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the art to include a request for information, as taught by Dent, to the system of Raith, in order to notify the system of the base station's new location.

Regarding claim 20, Dent further teaches the determination if the assigned number has been changed (Col. 12;23-60) which starts the initialization process (Fig. 6) which informs the call routing equipment of the newly assigned landline telephone number. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a way for determining if an assigned number has been changed, as taught by Dent, to the system of Raith, in order to prevent a missed call.

Regarding claims 23-24, the method claims read upon the corresponding apparatus claims and are rejected given the same reasoning as given in the rejection of claims 19-21 above.

7. Claims 16-17, 25-26 are rejected under 35 U.S.C. § 103 as being unpatentable over Schellinger et al in view of Yamaguchi and Nakamizo.

Regarding claims 16, 25, Schellinger et al disclose a TELCO (111), a portable wireless communication device (101), and a base

Art Unit: 2608

station (113). Schellinger et al further disclose the recognition of the portable that it is range of the communication range of the base station and automatically sending by the portable, a message to the base station (scanning for cordless base and registration, Col. 5;32-60). Schellinger et al fail to disclose the use of caller identification or the use of a recall message.

However, Yamaguchi teaches a mobile system wherein caller identification information provided by the TELCO is stored within the system (memory 14). Furthermore, Nakamizo teaches a mobile system wherein caller identification is stored within a memory (100) and the caller identification information is transmitted to the mobile unit (4) upon a message (recall) sent to the base station (NW, request for collection of caller telephone numbers, abstract). Therefore, it would have been obvious to one of ordinary skill in the art to include the retrieval of caller identification information, as taught by Yamaguchi and Nakamizo, to the system of Schellinger et al, in order to inform the user of the identity of a caller when the mobile user is away.

Regarding claims 17, 26, Schellinger et al disclose a TELCO (111), a portable wireless communication device (101), and a base station (113). Schellinger et al further disclose automatically sending by the portable, a message to the base station (scanning for cordless base and registration, Col. 5;32-60). Schellinger

Art Unit: 2608

et al fail to disclose the use of caller identification or the use of a recall message upon ringing.

However, Yamaguchi teaches a mobile system wherein caller identification information provided by the TELCO is stored within the system (memory 14). Furthermore, Nakamizo teaches a mobile system wherein caller identification is stored within a memory (100) and the caller identification information is transmitted to the mobile unit (4) upon a message (recall) sent to the base station (NW, request for collection of caller telephone numbers, abstract). Nakamizo also teaches the use of a ringing (paging) signal (b) to denote an incoming call. Though not explicitly disclosed that the retrieval signal is sent in response to a ringing signal, the reception of a ringing signal (and consequently, any caller identification data) only happens when a mobile unit is within the transmission range of the base station. Furthermore, it is well known in the art that caller id data (CLI) is sent by the base station along with a paging (ringing) signal, and thus the caller id data would be transferred upon a ringing signal. Therefore, it would have been obvious to one of ordinary skill in the art to include the retrieval of caller identification information, as taught by Yamaguchi and Nakamizo, to the system of Schellinger et al, in order to inform the user of the identity of a caller when the mobile user is away.

Art Unit: 2608

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Emery et al disclose the automatic retrieval of voice messages (Col. 32;42-51) and automatic registration of a base station within range (Col. 16;50-Col. 18;6).

Takeuchi disclose retrieval of caller id information by a mobile.

Frain disclose a wireless unit with caller id capabilities.

Ranz discloses the selective enabling/disabling of caller id (CIDM option, Fig. 4).

9. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

ANY AMENDMENT OR REQUEST FOR RECONSIDERATION IN RESPONSE TO THIS FINAL OFFICE ACTION SHOULD BE DIRECTED TO:

Serial Number: 08/243,040

-10-

Art Unit: 2608

Commissioner of Patent and Trademarks

BOX AF

Washington, D.C. 20231

By following this practice, it has been found that processing time of the response is reduced, thereby resulting in fewer potential requests for extension of time by applicant.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Trost whose telephone number is (703) 308-5318. The examiner can normally be reached on Monday-Friday from 7 a.m to 3:30 p.m. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.



William Trost
May 20, 1996



CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
GROUP 2600